

REMARKS/ARGUMENTS

The Office Action of July 29, 2005, has been carefully reviewed and these remarks are responsive thereto. The Applicants' undersigned representative is new counsel of record pursuant to the new Power of Attorney filed herewith. Applicants herein cancel claims 1-20 and present new claims 21-40. Claims 21-40 remain pending after entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested in view of the following arguments.

Claim Rejections Under 35 U.S.C. §102(b) and §103(a)

Claim 1-20 have been cancelled rendering the rejections moot. However, Applicants discuss the new claims with respect to the cited references below.

New Claims

Applicants have added claims 21-40 which recite, *inter alia*, some of the features of cancelled claims 1-20. As such, Applicants present the following preliminary remarks in view of the references cited against the cancelled claims.

New independent claims 27, 33 and 38 all relate to, *inter alia*, receiving a user selection of a set of one or more of a plurality of personalized information to transmit to a computing device. None of the cited references, either separately or in combination, teach or suggest such a feature. The Office Action asserts on p. 4 that Piosenka *et al.* (European Patent Appl. No. 0827353, hereinafter "Piosenka") anticipates such a feature by disclosing that a user may select, activate, or modify various programmable features of a cellular telephone. Col. 8, ll.36-42. However, mere selection of programmable features is entirely dissimilar to selecting a set of personalized information of a portable device to transmit to a computing device. In other words, a user does not select a programmable feature to transmit the feature to a computing device as is recited in claims 27, 33 and 38. Rather, a user selects a programmable feature in Piosenka to activate or modify the functionality of the cellular phone. *Id.* As such, Piosenka does not teach or suggest the above-recited feature of claims 27, 33 and 38. Additionally, neither Dahm *et al.* (U.S. Patent No. 6,301,471, hereinafter "Dahm") nor Ishigami (U.S. Patent No. 6,625,445) teach

or suggest such a feature and thus fail to cure this deficiency of Piosenka. Claims 27, 33 and 38 are thus allowable for at least this reason.

Claim 28 is dependent on claim 27 and is thus allowable for at least the same reasons as claim 27 and further in view of the novel and non-obvious features recited therein.

Claim 34 is dependent on claim 33 and is thus allowable for at least the same reasons as claim 33 and further in view of the novel and non-obvious features recited therein.

Claims 39 and 40 are dependent on claim 38 and are thus allowable for at least the same reasons as claim 38 and further in view of the novel and non-obvious features recited therein.

New independent claims 21, 29 and 35 relate to, *inter alia*, receiving a user selection of a second set of one or more personalized information to be transmitted to a second portable device, wherein the selection is made from a first set of one or more personalized information. Contrary to the Office Action's assertions on p. 3, Piosenka does not teach or suggest a second portable device. Throughout Piosenka's disclosure and drawings, there exists only a single portable device in any given system. For instance, the programmable electronic device 12 is used to describe a particular embodiment of the system while cellular phone 22 is depicted in another embodiment. However, nowhere does a first *and* second portable device exist in a single system. Dahm and Ishigami also fail to teach or suggest a first and second portable device in a single system. At most, both Dahm and Ishigami disclose interaction between a computer device and a portable device. *See* Ishigami, Abstract; *see also* Dahm, FIG. 1, Col. 4, ll. 49-60 (describing a computer, server and a mobile device). As such, claims 21, 29 and 35 are allowable for at least this reason.

In addition, claims 21, 29 and 35 further relate to, *inter alia*, modifying, in accordance with a capability of a second portable device, a second set of one or more of the plurality personalized information selected by a user from the first set. As discussed previously, none of the applied references teach or suggest first and second portable devices in a single system. Even assuming, without admitting, that the applied references describe a first and second portable device, nowhere do Piosenka, Dahm or Ishigami, separately or in combination, teach or suggest such a modification feature. At best, Ishigami discloses at col. 2, lines 50-63 that if the second device does not have sufficient processing power, then the first device generates a search table and adds it to the transmission along with the data. Even so, the data of Ishigami is not

being modified, much less being modified in accordance with a capability of a second portable device. More specifically, Ishigami is merely disclosing the addition of a data search table to the transmission without affecting the underlying data. *Id.* As such, Ishigami does not teach or suggest modifying a second set of personalized information in accordance with the capabilities of a second portable device. Claims 21, 29 and 35 are thus allowable for this additional reason.

Claims 22-26 are dependent on claim 21 and are thus allowable for at least the same reasons as claim 21 and further in view of the novel and non-obvious features recited therein.

Claims 30-32 are dependent on claim 29 and is thus allowable for at least the same reasons as claim 29 and further in view of the novel and non-obvious features recited therein.

Claims 36-37 are dependent on claim 35 and is thus allowable for at least the same reasons as claim 35 and further in view of the novel and non-obvious features recited therein.

CONCLUSION


All rejections having been addressed, Applicants respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

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